



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

MAR 14 2016

John Gage
Kiewit/General/Manson, a Joint Venture
3015 112th Avenue NE
Bellevue, WA 98004

Re: Application S1-28814 for Short Term Authorization for Beneficial Use of Public Water

Dear Mr. Gage:

The Department of Ecology (Ecology) received your application on January 19, 2016, requesting temporary diversion of surface water from Lake Washington. The request is for 48 gpm (0.107 cfs) for use in a hydro blaster to support demolition of the 520 Floating Bridge.

Lake Washington was closed by administrative rule, WAC 173-508-030, through a determination that water was not available for further consumptive appropriation. Accordingly, Ecology must deny proposed surface water diversions if they will have any effect on the flow or level of the lake. However, temporary uses may be approved if they qualify for Overriding Consideration of the Public Interest (OCPI), according to Supreme Court decision *Foster v Ecology and The City of Yelm*.

Pursuant to your request, the Water Resources Program NW Regional Office has determined the public interest will be served and benefits of your project will clearly override any temporary nominal harm to environmental and navigational values on Lake Washington.

Your request for temporary use of this water is **approved**. The use of surface water under this Short Term Authorization shall commence no earlier than April 15, 2016, and shall cease no later than August 15, 2016.

An instantaneous quantity rate of 48 gpm (0.107 cfs) is authorized with a maximum daily diversion not to exceed 23,040 gallons, based on up to 8 hours of pumping per day.

This authorization in no way removes the requirements for the applicant to receive permits or approval for its project from Ecology's Water Quality Program (RCW 90.48) or for hydraulic project approval from the Department of Fish and Wildlife (RCW 77.55).

If you have any questions regarding this authorization, please contact Jerry Liszak by phone at (425) 649-7013 or by email at Jerry.Liszak@ecy.wa.gov.



You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk P.O. Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board Environmental Hearings Office 1111 Israel Road SW, Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board P.O. Box 40903 Olympia, WA 98504-0903

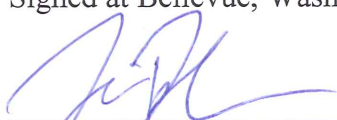
For additional information visit the Environmental Hearings Office

Website: <http://www.eho.wa.gov>

To find laws and agency rules visit the Washington State Legislature Website:

<http://www1.leg.wa.gov/CodeReviser>

Signed at Bellevue, Washington, this 14th day of March 2016.



Tom Buroker, Section Manager
Water Resources Program

Enclosure: Your Right To Be Heard

By Certified Mail: 9171 9690 0935 0106 7184 86

cc: Carla Carlson, Muckleshoot Indian Tribe